

# Article Four

## Overlay Districts



August 12, 2003  
© 2003, Bradley E. Johnson, AICP

# "AH-OL" District

## 4.1 District Intent, Affect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p>The Airport Hazard Overlay District (AH-OL) has been created to promote a "buffer" of appropriate land uses around the airport in order to promote the growth and ongoing operations of the municipal airport.</p> <p>The Plan Commission and BZA should strive to minimize land uses which pose a hazard to air traffic, including excessive lighting, tall structures, lighting that resembles a runway, etc. Further, the Plan Commission and BZA should restrict any land use that could be adversely affected by the noise related to air traffic.</p>	<p><b>Permitted Uses</b> All uses permitted in the base zoning district are permitted in the AH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p><b>Special Exception Uses</b> All uses permitted in the base zoning district as special exceptions are permitted as special exceptions in the AH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p><b>Restricted Land Uses</b></p> <ul style="list-style-type: none"> <li>•assisted living facility</li> <li>•assisted living home</li> <li>•bed and breakfast facility</li> <li>•boarding house</li> <li>•bottled gas storage/distribution</li> <li>•church, temple or mosque</li> <li>•dwelling, single-family</li> <li>•dwelling, two-family</li> <li>•dwelling, manufactured</li> <li>•dwelling, multifamily</li> <li>•electrical generation plant</li> <li>•fair housing facility (large)</li> <li>•fair housing facility (small)</li> <li>•group home</li> <li>•hospital</li> <li>•incinerator</li> <li>•liquid fertilizer storage/distribution</li> <li>•manufactured home park</li> <li>•movie theater</li> <li>•nursing home</li> <li>•retirement community</li> <li>•radio/TV station</li> <li>•sanitary landfill/refuse dump</li> <li>•school (P-12)</li> <li>•storage tanks (hazardous)</li> <li>•trade or business school</li> <li>•university or college</li> <li>•wireless telecommunications facility</li> </ul>	<ul style="list-style-type: none"> <li>•When the development standards outlined on the following page (Section 4.3) conflict with the base zoning district development standards in Article Six, the more restrictive shall apply. All applicable development standards in Article Six that are not addressed in Article Four will still apply in accordance with the base zoning district.</li> <li>•The development standards for the AH-OL shall be construed to be applicable to all Planned Developments which are overlayed by this district.</li> </ul>

---

#### **4.2 Jurisdictional Boundary for the Airport Hazard Overlay District**

- A. The jurisdictional boundaries for the Airport Hazard Overlay District (AH-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Airport Hazard Overlay District (AH-OL).

#### **4.3 Additional Development Standards for the Airport Hazard Overlay District**

The following development standards are required as follows in order to promote the intent of this zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. Adjustments to lighting standards are as follows:
- a. No parking lot, street, exterior building, or landscape lighting shall be allowed to project upward or horizontally. All lighting mounted on a pole, structure or building shall be 90° cutoff luminaries.
  - b. All signage lighting shall be internally lit and shall not exceed 5 footcandle at the property line.
  - c. No lighting shall spin, oscillate, or blink within this district.
- B. Site design of any property or properties in conjunction shall not resemble an airport, taxiway, or runway.
- C. All structures within this district are encouraged to be constructed with extra sound dampening and proofing such to mitigate noise from aircraft.
- D. No structure may be located within 1000 feet of a runway unless it is used as a part of the airport facility or aviation operation.
- E. The maximum height of any structure is 40 feet when it is 1000 feet to 4500 feet from any airport runway. The Planning Director may mandate a maximum height less than 40 feet if the structure is within a precision runway approach (slope of 1 to 50 from the end of runway).
- F. The maximum height of any structure is 90 feet when 4500 feet to 7920 feet (1½ mile) from any airport runway.

*[Note: All property purchasers and developers should be aware that the municipal airport facility may expand in the future, thus resulting in more air traffic and larger aircraft.]*

# "WH-OL" District

## 4.4 District Intent, Affect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p><b>The WH-OL (Wellhead Overlay) District is intended to promote and preserve the communities drinking water quality. This District should be used as follows.</b></p> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>•all areas designated by an engineering study necessary to protect Kokomo's drinking water supply</li> </ul> <p><b>Land Use Restrictions</b></p> <ul style="list-style-type: none"> <li>•restrict any use that utilizes or contains volatile, poisonous, toxic, or other material hazardous to the potability of water.</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>•minimize the risk of contaminants getting into the community's drinking water.</li> </ul>	<p><b>Permitted Uses</b></p> <p>All uses permitted in the base zoning district are permitted in the WH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p><b>Special Exception Uses</b></p> <p>All uses permitted in the base zoning district as special exceptions are permitted as special exceptions in the WH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p><b>Restricted Land Uses</b></p> <ul style="list-style-type: none"> <li>•auto oriented facility</li> <li>•auto salvage yard</li> <li>•bottled gas storage/distribution</li> <li>•cemetery</li> <li>•dry-cleaning service</li> <li>•food production/processing</li> <li>•gravel and sand mining</li> <li>•heavy industry</li> <li>•incinerator</li> <li>•liquid fertilizer storage/distribution</li> <li>•radio/TV station</li> <li>•raising of farm animals</li> <li>•rendering of farm animals</li> <li>•sanitary landfill/refuse dump</li> <li>•scrap yard</li> <li>•storage tanks (hazardous)</li> <li>•junk yard</li> </ul>	<ul style="list-style-type: none"> <li>•When the development standards outlined on the following page (Section 4.10) conflict with the base zoning district development standards in Article Six, the more restrictive shall apply. All development standards in Article Six that are not addressed in the following sections (section 4.10) will still apply in accordance with the base zoning district.</li> <li>•The development standards for the WH-OL shall be applicable to all Planned Developments that are overlayed by this district.</li> </ul>

---

**4.5 Jurisdictional Boundary for the Wellhead Overlay District**

- A. The jurisdictional boundaries for the Wellhead Overlay District (WH-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Wellhead Overlay District (WH-OL).

**4.6 Additional Development Standards for the Wellhead Overlay District**

The following development standards are required as follows in order to promote the intent of this zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. No natural area or vegetated buffer may be treated with any herbicide, insecticide, fertilizer, or the like without EPA or DNR approval for a specific treatment and recommended frequency of treatment presented to the Planning Director in writing. Only lawn fertilizer and lawn weed control chemicals available over-the-counter are exempt from this rule.

# "FH-OL" District

## 4.7 District Intent, Affect on Uses, and Development Standards

District Intent	Affect on Uses	Development Standards
<p><b>The FH-OL (Flood Hazard Overlay) District is intended to minimize risk to life, protect property from damage, reduce risk of flooding, and improve storm water quality.</b></p> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>any area within the 100 year floodplain and any other areas along regulated ditches, streams, rivers, ponds and ponds deemed necessary.</li> </ul> <p><b>Land Use Restrictions</b></p> <ul style="list-style-type: none"> <li>restrict any use that utilizes or contains volatile, poisonous, toxic, or otherwise hazardous to flora, fauna and the potability of water.</li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>restrict the construction of habitable or occupiable structures within the 100 year floodplain.</li> <li>assure no net loss of floodplain storage capacity due to building or filling within the 100 year floodplain.</li> <li>preserve riparian corridors and buffer areas around bodies of water from direct, indirect and inadvertent disturbances and removal of plant material.</li> <li>reduce the speed at which storm water reaches regulated ditches, streams and rivers.</li> </ul>	<p><b>Permitted Uses</b></p> <p>All uses permitted in the base zoning district are permitted in the FH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p><b>Special Exception Uses</b></p> <p>All uses permitted in the base zoning district as special exceptions are permitted as special exceptions in the FH-OL zoning district except as listed below in the "Restricted Land Uses" section.</p> <p><b>Restricted Land Uses</b></p> <ul style="list-style-type: none"> <li>auto oriented facility</li> <li>auto salvage yard</li> <li>bottled gas storage/distribution</li> <li>cemetery</li> <li>dry-cleaning service</li> <li>food production/processing</li> <li>gravel and sand mining</li> <li>heavy industry</li> <li>incinerator</li> <li>liquid fertilizer storage/distribution</li> <li>radio/TV station</li> <li>raising of farm animals</li> <li>rendering of farm animals</li> <li>sanitary landfill/refuse dump</li> <li>scrap yard</li> <li>storage tanks (hazardous)</li> <li>junk yard</li> </ul>	<ul style="list-style-type: none"> <li>When the development standards outlined on the following pages (section 4.9) conflict with the base zoning district development standards in Article Six or other Development Standards in this Article, the more restrictive shall apply. All development standards in Article Six that are not addressed in the following section (4.9) will still apply in accordance with the base zoning district.</li> <li>The development standards for the FH-OL shall be applicable to all Planned Developments that are overlaid by this district.</li> </ul>

---

**4.8 Jurisdictional Boundary for the Flood Hazard Overlay District**

- A. The jurisdictional boundaries for the Flood Hazard Overlay District (FH-OL) shall be shown on the Official Zoning Map as a hatch or textured pattern and noted on the map legend as the Flood Hazard Overlay District (FH-OL).

**4.9 Additional Development Standards for the Flood Hazard Overlay District**

The following development standards are required as follows in order to promote the intent of this zoning district and meet the goals of the Kokomo Comprehensive Plan.

- A. The development standards of the Flood Hazard Areas Ordinance, No. 5959, as amended, shall apply.  
B. No lot or building site, created after the adoption of this ordinance, shall locate any buildings within FH-OL.

